

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

STEVEN BECK, DAVID BRADEN,
MARK WILLARD, MATTHEW
WILSON, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 4:22-cv-12079

Honorable F. Kay Behm

Magistrate Judge David R. Grand

CURTIS BRIGHT, et al., on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 4:23-cv-10328

Honorable F. Kay Behm

Magistrate Judge Elizabeth A. Stafford

RYAN SCOTT, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 4:23-cv-10653

Honorable F. Kay Behm

Magistrate Judge David R. Grand

**STIPULATED ORDER CONSOLIDATING CASES PURSUANT TO FED.
R. CIV. P. 42(a) AND E.D. MICH. L.R. 42.1**

Defendant Ford Motor Co. and Plaintiffs (hereinafter jointly “the Parties”) in the three pending cases identified below (hereinafter the “Actions”), pursuant to Fed. R. Civ. P. 42(a) and E.D. Mich. L.R. 42.1, and subject to the Court’s approval, stipulate to consolidate the Actions into a single action for any and all purposes, including trial, before the Honorable Judge F. Kay Behm in the Eastern District of Michigan. The Parties further stipulate, subject to the Court’s approval, to a schedule for the filing of a consolidated complaint and responsive pleading or motion.

1. On October 12, 2022, the Honorable Paul Borman consolidated *Beck, et al. v. Ford Motor Co.*, Case No. 2:22-cv-12079 (E.D. Mich.) with the related case, *Rhodes, et al. v. Ford Motor Co.*, Case No. 2:22-cv-12110 (E.D. Mich.) to establish this case, captioned as *In re Ford Super Duty Roof-Crush Litigation*. See ECF No. 13.

2. In the meantime, two other related cases were filed outside of this District:

- a. *Bright, et al. v. Ford Motor Co.*, Case No. 3:22-cv-07264 (N.D. Cal.), which was transferred to the Eastern District of Michigan on February 8, 2023, and is currently pending before the Honorable F. Kay Behm as Case No. 4:23-cv-10328.

b. *Scott, et al. v. Ford Motor Co.*, Case No. 3:22-cv-50352 (N.D. Ill.), which was transferred to the Eastern District of Michigan on March 21, 2023, and is currently pending before the Honorable Denise Page Hood as Case No. 2:23-cv-10653. The Parties respectfully suggest that *Scott* can be transferred to Judge Behm as a related case under E.D. Mich. L.R. 83.11.

3. The Parties stipulate that these two cases (4:23-cv-10328 and 2:23-cv-10653) should be consolidated with *In re Ford Super Duty Roof-Crush Litigation* (4:22-cv-12079), pending before Your Honor. The Parties are not aware of any other pending, related cases.

4. The Parties stipulate and agree to the following schedule for the filing of a consolidated complaint and a responsive pleading upon the Court's entry of an order consolidating the Actions:

- a. Plaintiffs shall have 30 days from entry of this Order to file a consolidated complaint.
- b. Defendant shall have 45 days from the filing of Plaintiffs' consolidated complaint to file its responsive pleading or motion to the consolidated complaint.
- c. If Defendant files a motion in lieu of an answer, Plaintiffs shall have 45 days to oppose any such motion or amend their complaint.

d. If Plaintiffs file an opposition to any motion, Ford shall have 21 days to file a reply.

5. Plaintiffs will seek to include VIN numbers for their vehicles in the Consolidated Complaint and Defendant's pending Motion for More Definite Statement (ECF No. 18) shall be denied as moot.

6. The Parties agree to use the case caption from the *In re Ford Super Duty Roof-Crush Litigation* in future court filings and all future filings shall be made on that docket, Case No. 4:22-cv-12079, and further agree that the *Bright* and *Scott* Actions shall be closed for administrative purposes.

7. This Proposed Stipulated Order will be submitted in all three of the Actions.

IT IS SO ORDERED.

s/F. Kay Behm
F. Kay Behm
United States District Court Judge

Dated: March 28, 2023

SO STIPULATED:

Dated: March 23, 2023

Respectfully submitted,

By: /s/ Perry W. Miles IV (w/consent)

/s/ E. Powell Miller

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